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Pebruary 16, 1962

THE WHITE MORNE

Instructions for Subjecti Ambassador Thom

Emclosed for your consideration is an advance copy of the draft instructions for imbassades Th for the next round of discussion with Mr. Groupko. This draft has not yet been approved by the Secretary.

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1. Although your exchanges with Gromyko seem to be approaching stage of formalistic ritual dance, we believe that they should be allowed to follow their course and that you should apportlingly request further meeting with him. Moreover, recent Seviet haracements in air derridars have added dangerous new element of which we must take account both in assessing Soviet intentions and in developing our com tactico.

- 2. We shall provide you in separate telegram with test of memorandum to be handed Grenyko to establish record for eventual possible publication should Soviets decide release various documents they have given you.
- 3. If prior to your next session arrangements have been completed for convening of Foreign Ministers in Geneva in connection eighteen-powerdisarmament talks and you make no progress with Gromyko, you should towards end of conversation indicate that you will shortly be returning to Washington on consultation to assist in preparations for forthcoming discussions at Geneva. Secretary is looking formard to opportunity which presence in Geneva will provide to meet privately with Gromyko in effort to see whether some way towards mutually acceptable accommodation on Berlin cannot be found. Although present series of talks in Moscow have given little cause for optimism, perhaps break of come weeks during which both sides can reflect on arguments presented may be ೭ good

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a good thing. In montime it will be, of course, incumbent on both sides to avoid any unilateral acts which would only further exacerbate situation.

4. In view of air corridor harasuments, you should begin by observing that Soviet attempts to restrict Allied air access in Burlin corridors and to elter established procedures has proceed a highly dengerous situation which cannot but affect our appraisal of Seviet intentions and good faith. You should refer in this connection to protosts submitted by three powers to Seviet Foreign Ministry on February 15. making particular reference to passage stating that attempt to force changes in established procedures is incompatible with Soviet Foreign Ministor's apparent egreement in talks with President Kennedy and Secretary Rusk that both sides should refrain from QUOTE actions which might aggravate international tensions UNQUOTE and with emplicit commitment to this effect in joint etatement of September 20, 1961 on principles for disarrament negotiations. To degree necessary you may draw on factual contents of note plus subsequent reporting talegrams from Berlin and LIVE OAK, but it would not be purpose of present meeting to engage in prolonged debate on situation in air corridors. Discussion this subject might be terminated by comment that highly volatile situation in air corridors underlines essential correstness of Western comphasis on access problem as requiring primary attention. This as area of activity where

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both sides might most quickly find theceives in escalating situation involving grave risks.

- 5. Apart from foregoing and necessary refutation of certain points made by Cromyto during your last session, mosting chould be directed primarily covaris ascermining whether Soviets leave any opening for progress in direction suggested by President to Adahubei, i.e., that since final colution of Barlin problem seemed impossible, both sides should seek to find accommodation thick would prevent tensions from mountary.
- apparently does not have any intention of discussing seriously matters under question, you should observe that we are indeed very serious about these matters. QUOTE discussing seriously unquote in Seviet definition apparently means accepting their formulation of the problem and their proposal for a colution. For various reasons, including those stated in accordant handed Seviet Foreign Minister during your third meeting, UC proceeds from essum, ion that discussions between Great Powers must start with admission by both sides that neither one can expect other simply to accept either its formulation of problem or proposed solution. Surious discussion means finding some middle ground which is consistent with professed intentions and basic interests of both sides, and, if that is not possible, at least finding some modus vivends which will

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7. Exchanges so far between Soviet Foreign Minister and American Ambassador have created impression that no bacis for accommodation emists. We find it difficult to believe that Seviet Covernment is so unaware of US position, or so unwilling to take it into account, that it can expect us to accent claims and proposals which American leaders have repeatedly stated are clearly unacceptable. Tolat has now apprently bean reached where Goviets do not feel they can even folicw up earlier indications that some procedural formula might be found within which possibility of an arrangement on Lerlin could be further employed, and that this formula envisaged then basic arrangement must be between Soviet Union and Western Powers and not between latter and QUOTE GDR UNNUUTE. Instead we now have renewed Soviet emphasis on need for a GOR role in working out access arrangements which would leave entire situation at mercy of regime, leaders of which have made many statements about intentions which are completely incompatible with that freedom of access for Wast Earlin which Soviets have said they favored. Does all this mean that Soviets have given up idea of finding an accommodation on Berlin? We trust this is not case, and therefore once again suggest that most practicable way to begin would be to try to find some solution to access question. Soviet Foreign Minister has criticized US concentration on access. We have stressed this problem pracisely



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because it seems to us that possibility of confident bury and Table and US is likely to arise over misunderstanding regarding access. Sevicts have said they do not like item of International Access Authority which we believe most useful approach to problem and practicable way of avoiding confrontation over it. We would, of course, be glad to discuss any variations in Access Authority proposal which Sevicts have in mind. Institutes of kind we have had recently in air corridors would be avoided under International Access Authority proposal. We would appreciate having equalitic ideas from Sevicts as to how they think confrontation over access might be avoided which go beyond generalities about QUOTE respect for GDR sever ignty UNQUOTE.

8. You might take up Gromyko's words is quoted in your 2100 regarding deviat intention never to sign any document which would back occupation rights or favor retention of occupation regime in West Borlin, noting that this is not what we are proposing Soviets should do. As pointed out in our carillar memorandum, our rights in Berlin do not derive from deviate and we are not asking have they sign their name to a document containing a term which seems so have acquired unpleasant associations for them. What we are asking in that they accept fact of Western presence in Berlin and draw appropriate conclusions from that fact without engaging in debate over

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differing legal views.

- 9. In this connection, you might observe, we have come to reluctant conclusion that Soviets have not addressed themselves directly to a number of important points made by American Ambassador or in US memorandum handed him at meeting before last. We hope that Soviet Foreign Minister will carefully reexamine this document.
- 10. You might conclude opening remarks by handing Grebyko memorandum which, you may point out, is intended to deal with a number of points made by Soviets in documents they have given us.
- il. In unlikely event that Gromyko unvails any new element of flexibility in Soviet position, you should endeavor to draw him out to extent possible, and at appropriate point, indicate that you will report his statement back to your Government where it will be carefully considered.
- 12. During course of discussion you might, if appropriate, make some or all of following additional points in commenting on Soviet memorandum or Gromyko's arguments which, we assume, will follow their stereotyped course:
- 13. To all intents and purposes QUOTE peaceful coexistence
 UNQUOTE prevailed in Berlin for decade between Soviet imposed blockade
 and November 1958 when Soviets without any provocation again challenged Western position with threat of unilateral action. There is
 nothing explosive about West Berlin. Cally threats to peace over

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the years have come from leviet side manages against what they call QUITE siden body UNQUOTE with implications of intentions to sack to suppress and absorb it.

treaty and rounification while accusing us of provencing a certical peace treaty which would perpetuate the division of Commany. Soviet talk of peace treaty is not equivalent to weating peace because claimed effects of peace treaty can only produce mounting tensions and threat to peace. Soviets should not forget that it is they a not we - who threaten to change emisting situation and interfere with emercise of our rights. We are not appressing against, or threatening, them in Berlin. It is they who are threatening us. If worse comes to worst, the world will easily understand that defending the exercise of one's rights and responsibilities is not appression, but that what is being resisted is aggression.

15. As Khrushchev himself told President in Vienna, Western troops in Darlin are not important militarily, surrounded as they are by 20 Soviet divisions and 6 East Garman divisions, but are important as guarantee of our readiness to meet our obligations.

Anyone seeking to remove this protection inevitably raises doubts as to his real intentions.

